

POLICY OF BAPTIST UNION OF VICTORIA

CONSTITUENT GOVERNANCE REQUIREMENTS

PREAMBLE

This policy document is to guide the Union Council of the Baptist Union of Victoria in approving or refusing to approve constituent constitutions.

The Baptist Union of Victoria ("**BUV**") recognises that each local church is an autonomous community of disciples, with ultimate authority, under God, residing in the church meeting when members meet together to discern the mind of Christ on all matters related to the work of the church.

While the local church is the essential part of the Baptist concept of the church, Baptists have always emphasised the importance of fellowship between churches. Association together enables sharing in the support of missionary work, the training of pastors and leaders, social services and support for churches, whether new, thriving or struggling.

Within the BUV fellowship there are shared beliefs. It is an association of people who hold as their general tenets the doctrines set forth in Schedule B of *The Baptist Union Incorporation Act 1930* (Vic). Further guidance on the shared beliefs are set out in the Principles & Ideals of the Baptist Faith in the Constitution of the BUV.

The BUV recognises that it is relationship with Christ that is the basis of the fellowship in the Union, and that no formal creed or articulation of beliefs can substitute for that relationship or adequately capture and represent it.

However, any church wishing to join the BUV has been required to submit its constitution to Union Council for approval, prior to being accepted as constituents. This process has been accepted as an important part of ensuring there is integrity (being the state of being whole and undivided) in the foundational beliefs within constituents of the BUV.

The processes for amendment of constituent church constitutions has been varied. The introduction of a clause regarding "ongoing commitment" in the BUV constitution crystallizes an ongoing obligation on constituents to ensure they do not depart from the shared beliefs. It creates an obligation on constituent churches to submit amendments to their constitutions for review by the BUV. It also helps to ensure assets are used only for proper purposes.

This document is intended to guide the Union Council in the matters that it should ensure are included in the constitutions that are submitted for review.

POLICY

1. Reviewing Constitutions

1.1. This policy applies in the following circumstances:

1.1.1. When a local church applies to be a constituent.

1.1.2. When a constituent amends its constitution.

2. Content

2.1. A constituent church constitution should contain the following:

Topic	Description
Basis of Fellowship (incl reference to the Doctrinal Basis and Principles & Ideals)	Include the Basis of Fellowship as it appears in the Sample Constitution, and this should form part of the purpose of the church.
Directions should further purpose	Include a provision that the church may only issue directions to the BUV regarding trust property held by it as trustee if such directions further the purposes of the church.
Not-for-profit status	A requirement that the income and assets of the church should be used to further the church's purposes, and profits should not be distributed to members.
Membership	Contain provisions that are consistent with ensuring members: <ul style="list-style-type: none">• are personally committed to Jesus Christ as Lord and Saviour and to the mission of the church.• hold as their general tenets the doctrines set out in the Doctrinal Basis of the Union• have been regularly participating in worship at the church for at least 6 months unless transferring from another Baptist church.• meet the Baptism requirements described below.
Baptism	Contain provisions that are consistent with ensuring members are either: <ul style="list-style-type: none">• Baptised – namely immersed upon the profession of their faith in the Lord Jesus Christ, as a symbol of the fellowship of the regenerate in His Death, burial and resurrection; or• If desired by the church - have been baptised according to the rites of another Christian church and make a public profession of their faith in and commitment to Jesus Christ

Topic	Description
	<p>as Lord and Saviour, as an affirmation of their baptism, and are able to affirm the normative nature of believer's baptism; or</p> <ul style="list-style-type: none"> • If desired by the church - are persons whom the Leadership have determined ought to be admitted as members on the basis that they have made a public profession of their faith in and commitment to Jesus Christ as Lord and Saviour and their beliefs are in alignment with the Basis of Fellowship. <p>There should be a similar provision for ensuring pastors and leadership team members satisfy these criteria.</p>
Special Meetings	<p>A special meeting must be held:</p> <ul style="list-style-type: none"> • to issue directions to the Baptist Union of Victoria as regarding trust property held by it as trustee for the purposes of the Church. • To appoint or remove a Senior/Lead/Sole Pastor.
Congregational Principles	<p>Church must be governed according to congregational principles.</p>
Pastors	<p>Contain provisions that are consistent with ensuring that pastors:</p> <ul style="list-style-type: none"> • Are people the church believes have been called and gifted by the Lord to fulfil a ministry of pastoral leadership within the church. • Hold, preach, teach and maintain the doctrines and practices set out in the Doctrinal Basis (Schedule B requirement). • Have been baptised as a testimony of their own faith in and commitment to Jesus Christ as Lord and Saviour, or are otherwise eligible for Membership of the Church according to the provisions of the Church constitution. • Are personally committed to Jesus Christ as Lord and Saviour and to the mission of the church. • Not be known to be guilty of perpetuating immoral conduct without repentance (Schedule B requirement). • Be appointed at a Special Meeting (in the case of Senior/Lead/Sole Pastors only).

Topic	Description
Removal of Pastors	A resolution may not be passed to remove or dismiss a person as Senior/Lead/Sole Pastor until consultation has been had with the Director of Ministries of the BUV.
Leadership Team	<p>Contain provisions that are consistent with ensuring the leadership team:</p> <ul style="list-style-type: none"> • are personally committed to Jesus Christ as Lord and Saviour and to the mission of the church. • hold as their general tenets the doctrines set out in the Doctrinal Basis of the Union. • have been baptised as a testimony of their own faith in and commitment to Jesus Christ as Lord and Saviour, or are otherwise eligible for Membership of the Church according to the provisions of the Church constitution. • is a Member entitled to vote at a Special Meeting.
Schedule B – convening meeting	<p>Providing the BUV with a copy of the membership register to enable it to convene a members' meeting in the following circumstances:</p> <ul style="list-style-type: none"> • property is held by the BUV under Schedule B; and • the BUV requires the register to convene a special meeting under Schedule B (and unless otherwise agreed with the Church the BUV may only use the membership register for purposes related to the special meeting).
Schedule B – cessation of worship or numbers reduced to less than 13.	<p>Union Council may, by resolution passed by two-thirds of the members of the Union Council present and voting at a special meeting of Union Council called for the purpose, exercise any powers exercisable by the Members in the following circumstances:</p> <ul style="list-style-type: none"> • The Church's Members have been reduced to 12 or less. • The Church has ceased to meet for the public worship of God for 6 months or more. • The Church membership has been reduced to 13-29 Members, and after exploring all options that appear to Union Council to be reasonable to reinvigorate the Church, Union Council forms the view that the Church is no longer a viable Church.

Topic	Description
Schedule B – cessation of worship or numbers reduced to 13-29.	<p>If the number of members of the church has reduced to 29 or less, and as a result the Union Council determines that it is necessary or advisable that directions issued by the said Church be subject to oversight by Union Council, then any resolution of the church:</p> <ul style="list-style-type: none"> • to issue directions to the BUV regarding trust property held by it as trustee for the purposes of the church; or • regarding the land, buildings or other significant asset of the church that has the capacity to affect significantly the church's financial standing; or • to appoint or remove a person from the leadership team– <p>will not have any effect unless and until approved by the Union Council.</p>
Cessation of Constituent status	<p>If the church ceases to be a constituent church of the BUV, the church ceases to be a said church within the meaning of Schedule B. In such a case, decisions regarding trust property (including proceeds of sale if applicable) fall to be determined by Union Council under clause 15 of Schedule B.</p>
Amendment	<p>Union Council approval of a constitution amendment is necessary for the amendment to take effect.</p> <p>A constituent church must not amend or alter its constitution in any way that would result in the church failing to pursue Christian ministry purposes.</p>
Winding-up	<p>In the event of winding-up, surplus assets of the constituent church should go to the BUV (assets of other entities such as funds or trusts will be dealt with under the relevant fund rules or trust deed, and may have specific tax requirements).</p>
Separately incorporated ministry arms or funds	<p>A constituent may not pass any resolution in respect of a separately incorporated ministry arm or trust fund unless the church is satisfied that the resolution will have the effect of furthering the church's purposes.</p>

2.2. Constituent constitutions are not limited to these matters.

2.3. Union Council should read these provisions with a view to ensuring constituent constitutions embody the spirit and the intent, and as far as possible to avoid stipulating the inclusion of specific words.

3. Regulator requirements

- 3.1. Where possible, Union Council should assist constituent churches by identifying whether their constitution contains clauses necessary to satisfy the requirements of the Australian Charities and Not-for-profits Commission and the Australian Taxation Office and provide appropriate sample clauses to do so.

4. Union Council decision and appeal

- 4.1. Union Council may determine in its discretion whether a constitution should be approved or rejected.
- 4.2. A constituent may dispute a decision of Union Council by appealing to Assembly.
- 4.3. If a constituent wishes to appeal a decision of Union Council, it can notify the Secretary that it wishes to appeal. The constituent church must be given an opportunity to be heard at the next Assembly of the Union (or a later Assembly if necessary for adequate notice to be given, or if by agreement), and Assembly may endorse Union Council's decision or may refuse to endorse Union Council's decision.

Date	Note
21 October 2022	Policy adopted by Assembly